

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ROGER VANDERKLOK,

Plaintiff,

v.

UNITED STATES OF AMERICA, *et al.*,

Defendants.

CIVIL ACTION

NO. 15-00370

ORDER

AND NOW, this 9th day of August 2016, upon consideration of Defendant Charles Kieser's ("Kieser") motion for summary judgment (ECF No. 69), Plaintiff Roger Vanderklok's ("Vanderklok") response in opposition (ECF No. 70), Kieser's reply (ECF No. 80) and oral argument held on August 2, 2016 (ECF No. 81), and for the reasons set forth in the forthcoming memorandum, the motion is **GRANTED IN PART AND DENIED IN PART**.¹

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.

¹ Vanderklok does not oppose Kieser's motion for summary judgment with respect to Count I (Fourth Amendment unconstitutional search and seizure). (Oral Arg. 89:22-90:7.) The Court accordingly grants Kieser's motion for summary judgment on that Count. The Court denies Kieser's motion for summary judgment with respect to Count II (First Amendment retaliation) and Count VI-2 (Fourth Amendment malicious prosecution).